

Message Text

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ACTION EB-07

INFO OCT-01 ARA-06 ISO-00 CIAE-00 COME-00 DODE-00 DOTE-00

FMC-01 INR-07 NSAE-00 CG-00 OFA-01 DLOS-04 L-03 H-02

PA-01 USIA-06 PRS-01 SP-02 IO-10 /052 W

----- 085882

R 181540Z DEC 75

FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC 2322

INFO AMEMBASSY MEXICO

AMEMBASSY BOGOTA

AMEMBASSY PANAMA

AMEMBASSY MANAGUA

AMEMBASSY KINGSTON

AMEMBASSY CARACAS

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E.O. 11652: N/A

TAGS: EWWT, ETRD, CS

SUBJECT: SHIPPING; NAMUCAR

REF: SAN JOSE 5081

1. EMBASSY POUCHING TO DEPT. COPY OF ACTA FINAL (FINAL RECORD OF PROCEEDINGS) SIGNED ON OCTOBER 31, 1975, AT THE END OF THE THIRD ORDINARY SESSION OF REPRESENTATIVES OF COUNTRIES INVOLVED IN NAMUCAR. EMBASSY ALSO POUCHING COPY OF A LAW PASSED IN THE NATIONAL ASSEMBLY ALLOWING THE INCORPORATION OF NAMUCAR IN COSTA RICA, GIVING THE SECRETARIAT

AND ADMINISTRATIVE COUNCIL STATUS OF INTERNATIONAL MISSION, AND ESTABLISHING CARGO RESERVATION REQUIREMENTS IN FAVOR OF NAMUCAR.

2. ARTICLE 9 OF THE NEW COSTA RICAN LAW ESTABLISHES AN 80 PER CENT CARGO RESERVATION FOR NAMUCAR SHIPS. OF COURSE, IT ONLY APPLIES ON ROUTES SERVED BY NAMUCAR SHIPS. A CHECK
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WITH NAMUCAR BY EMBOFF REVEALED THAT THE 80 PER CENT RESERVE

REQUIREMENTS ONLY APPLIES TO THE 40 PER CENT THAT COSTA RICA MAY RESERVE UNDER UNCTAD PRINCIPLES. THUS IN EFFECT, ONLY 32 PER CENT OF TOTAL CARGO NEED BE RESERVED FOR NAMUCAR. NAMUCAR OFFICIAL ADMITTED THAT LAW AS DRAFTED IS NOT CLEAR ON THIS POINT, AND, THEREFORE, SUBJECT TO MISINTERPRETATION. HOWEVER, HE ADDED THAT THE CARGO RESERVE REQUIREMENTS WILL BE CLARIFIED IN THE IMPLEMENTING REGULATIONS.

3. DAVID TOLAN, EXECUTIVE VICE PRESIDENT OF SEA-LAND SERVICE, AND JAMES GALLAGHER, GENERAL MANAGER OF SEA-LAND CENTRAL AMERICAN SELLICE, CALLED ON EMBASSY TO EXPRESS THEIR CONCERN ABOUT THE 80 PER CENT CARGO RESERVE REQUIREMENT. UNFORTUNATELY, THEY CAME BEFORE EMBASSY HAD CLARIFIED THE MEANING OF THE RESERVE REQUIREMENT WITH NAMUCAR. SUBSEQUENT TO CLARIFICATION, EMBOFF TALKED TO LOCAL SEA-LAND AGENT, FRANCISCO COLINA, AND EXPLAINED TO AGENT WHAT NAUMCAR HAD SAID RE RESERVE REQUIREMENTS. IT IS HOPED THAT HE WILL RELAY THIS INFORMATION BACK TO SEA-LAND'S HOME OFFICE. HOWEVER, EMBASSY WISHES TO ALERT DEPT ABOUT POSSIBLE QUERIES FROM SEA-LAND OR OTHER STEAMSHIP COMPANIES REGARDING COSTA RICA'S LEGISLATION RELATING TO CARGO REQUIREMENTS FOR NAMUCAR. TODMAN

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